

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

RESIDENTIAL CREDIT SOLUTIONS, INC.,

Plaintiff(s),

v.

LV REAL ESTATE STRATEGIC
INVESTMENT GROUP LLS SERIES 5112,

Defendant(s).

Case No. 2:17-CV-84 JCM (NJK)

ORDER

Presently before the court is defendant LV Real Estate Strategic Investment Group LLC Series 5112's demand for security of costs, pursuant to Nevada Revised Statute ("NRS") 18.130. (ECF No. 7).

"When a plaintiff in an action resides out of the State, or is a foreign corporation, security for the costs and charges which may be awarded against such plaintiff may be required by the defendant" NRS 18.130. Further, "[i]t is the policy of the United States District Court for the District of Nevada to enforce the requirements of NRS 18.130 in diversity actions." *Feagins v. Trump Org.*, 2012 WL 925027 (D. Nev. 2012) (citing *Hamar v. Hyatt Corp.*, 98 F.R.D. 305, 305-6 (D. Nev. 1983); *Arrambide v. St. Mary's Hosp., Inc.*, 647 F.Supp. 1148, 1149 (D. Nev. 1986)).

Neither plaintiff Residential Credit Solutions, Inc.'s complaint nor defendant's motion contains any factual averment regarding plaintiff's residency or citizenship. (ECF Nos. 1, 7). The purported plaintiff allegedly "based in the State of Texas" is apparently Nationstar Mortgage, LLC. (ECF No. 1 at 1-2). This entity is not the listed plaintiff in the instant case. Therefore, NRS 18.130 is not satisfied here.

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1 Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant's demand for
3 security costs, (ECF No. 7) be, and the same hereby is, DENIED, without prejudice.

4 DATED February 3, 2017.

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7 UNITED STATES DISTRICT JUDGE
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